

REMARKS

Claims 9-22 and 24 are pending in this application. By this Amendment, claims 9 and 24 are amended. Support for the amendments to claims 9 and 24 can be found at, for example, Figs. 2A-C and 12, page 7, lines 1-11, and lines 16-27, and page 8, lines 14-16. No new matter is added. Applicant respectfully requests reconsideration and prompt allowance of the pending claims in view of at least the following remarks.

I. Interview

Applicant thanks Examiner Han for the courtesies extended to Applicant's representatives during the October 12 personal interview. Applicant's substance of the interview is set forth in the attached remarks.

II. Rejection Under §112, First Paragraph

The Office Action rejects claims 9 and 24 under 35 U.S.C. §112, first paragraph. Claims 9 and 24 are amended responsive to this rejection. Accordingly, Applicant respectfully requests withdrawal of the rejection.

III. Rejection Under §103(a)

The Office Action rejects claims 9-22 and 24 under 35 U.S.C. §103(a) as having been obvious over JP-A-2002-352837 to Kazuo in view of U.S. Patent No. 6,663,990 to Iio et al. (hereinafter "Iio") and U.S. Patent No. 6,093,500 to Margiott et al. (hereinafter "Margiott"). The rejection is respectfully traversed.

Kazuo fails to disclose and would not have rendered obvious "the control means is configured to make up for a deficiency of the fuel gas during a time period when power generation is high," as recited in claim 9, and "the controller is configured to make up for a deficiency of the fuel gas during a time period when power generation is high," as recited in claim 24. The Office Action concedes that Kazuo fails to explicitly disclose a control means

that makes up for a deficiency while inhibiting a variation of the drive quantity; however, the Office Action asserts that Iio cures the deficiencies of Kazuo.

However, Iio fails to cure the deficiencies of Kazuo. The Office Action asserts that Iio teaches a fuel cell system which has a control unit (5) that controls a hydrogen draw pump (12) in combination with a control valve (11) to regulate the flow rate and pressure of the hydrogen gas in response to output signals, including at the end of a purge cycle which makes up a deficiency of the fuel gas after the purge sequence (paragraph [0036]). However, Iio fails to disclose that the control unit (5) is configured to make up for a deficiency of the fuel gas during a time period when power generation is high. Instead, the control unit (5) in Iio makes up for deficiency in fuel gas prior to the beginning of the normal operation mode when the fuel cell is not generating power (Fig. 2, paragraph [0036]). Thus, Iio fails to disclose and would not have rendered obvious the above-recited features of claims 9 and 24.

Margiott also fails to disclose and would not have rendered obvious the above-recited features. Margiott discloses that the loads applied to a fuel cell system can include auxiliary equipment (fans, pumps, compressors, etc.) in support of the fuel cell power supply system (col. 5, lines 53-65). However, Margiott fails to disclose a control unit that is configured to make up for a deficiency of the fuel gas during a time period when power generation is high.

Instead, Margiott only discloses that loads applied to the fuel cell can be selectively controlled (col. 5, lines 53-55). Thus, Margiott fails to disclose and would not have rendered obvious "the control means is configured to make up for a deficiency of the fuel gas during a time period when power generation is high," as recited in claim 9, and "the controller is configured to make up for a deficiency of the fuel gas during a time period when power generation is high," as recited in claim 24.

For at least these reasons, claims 9 and 24 are patentable over Kazuo, Iio, and Margiott, alone or in combination. Further, dependant claims 10-22 are patentable for at least

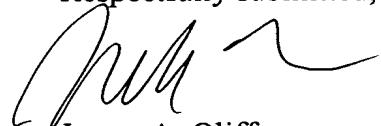
the same reasons, as well as for the additional features recited therein. Accordingly, Applicant respectfully requests withdrawal of the rejection.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Request for Continued Examination

Date: October 21, 2011

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